

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06 0687 SI
	)	
Plaintiff,	)	STIPULATION AND
	)	[PROPOSED] ORDER FINDING
v.	)	EXCLUDABLE TIME
	)	UNDER SPEEDY TRIAL ACT
	)	18 U.S.C. § 3161(h)(8)(A)&(B)(iv)
	)	
BRUCE BARKER,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

The parties stipulate as follows:

The indictment in the above-captioned case was returned and filed on October 12, 2006; the case was assigned to United States District Judge William Alsup. The parties appeared before Judge Alsup on November 7, 2006. Assistant United States Attorney Susan Badger appeared on behalf of the government. Cristina Arguedas appeared on behalf of the defendant, who was present and out of custody.

At the November 7 hearing, Judge Alsup noted that defendant's Notice of Related

1 Case was pending before this Court, but had not yet been decided. Counsel for defendant  
2 advised the Court that she needed additional time within which to determine whether she  
3 would be representing the defendant in this case. Counsel requested a continuance of the  
4 matter to November 28, 2006 in order to provide reasonable time to make that  
5 determination. The government had no objection to a continuance on those grounds.

6 The Court granted the motion for a continuance and, upon the request of the  
7 parties, found that the time from November 7, 2006 through November 28, 2006 was  
8 excluded from the time requirements of the Speedy Trial Act in order to provide  
9 reasonable time for the defendant to obtain counsel. 18 U.S.C.  
10 § 3161(h)(A) & (B)(iv).

11 On November 16, 2006, this Court found that the instant case and case number CR  
12 02 0169 SI were related and ordered the Clerk of the Court to reassign the instant case to  
13 this Court. The Court also ordered that all matters presently scheduled for hearing were  
14 vacated and were to be re-noticed for hearing before this Court. The matter has been  
15 placed on this Court's calendar for hearing on December 15, 2006 at 11:00 a.m.

16 Counsel for defendant advises that the defendant is in the process of retaining new  
17 counsel for this case. Counsel believes that the defendant should be able to accomplish  
18 that by December 15, 2006.

19 Under these circumstances, the parties agree that the time from November 28,  
20 2006 through December 15, 2006 should be excluded from the time requirements of the  
21 Speedy Trial Act in order to provide reasonable time for defendant to obtain counsel.  
22 18 U.S.C. § 3161(h)(A) & (B)(iv).

23 IT IS SO STIPULATED.

24  
25 DATED: November 30, 2006

KEVIN V. RYAN  
United States Attorney

26  
27 /s/  
SUSAN E. BADGER  
28 Assistant United States Attorney


STIP. & [PROP.] ORDER  
CR 06 0687 SI

DATED: November 30, 2006

/s/  
CRISTINA ARGUEDAS  
Counsel for defendant Bruce Barker

Upon the stipulation of the parties, and for good cause appearing, IT IS HEREBY ORDERED that the time from November 28, 2006 through December 15, 2006 is excluded from the time requirements of the Speedy Trial Act in order to provide the defendant reasonable time to obtain counsel. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO ORDERED.

  
SUSAN ILLSTON  
United States District Judge